Sociology 236A/Law 436
International Migration

Syllabus

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This is the first part in a sequence of three courses: Sociology 236A, B, and C. This course is also part of the School of Law curriculum as Law 436.

We seek to offer a comprehensive multi–disciplinary overview of the key current theoretical and policy debates in the study of international migration. Our goal is to explore comparatively (in both historical and cross-national dimensions) the North American, European and other global experiences of migration and the law’s responses to migration at national and supranational levels. The emphasis is on exploring both the theoretical and policy debates of the field and the empirical data and case studies on which these debates hinge. The long term goal is to encourage students to undertake research and engage in policy work or policy–centered practice at the intersection of law and social science in the field of migration studies. We trust that with an enrollment that includes graduate and professional students from the School of Law, Department of Sociology, and other campus units, the discussions will reflect a variety of disciplinary perspectives to the benefit of all participants.

The field of international migration studies is, perhaps, unique in its interdisciplinary and methodologically pluralist nature: stretching from the demography and economics of migration, through law and political science, geographical and mainstream sociological approaches, to the ethnography and oral history of migrants. Migration is also a crucial research site for exploring the multitude of intersections between law and sociology, including the limits of law in regulating immigration, the relationship between immigration law on the books and immigration law in action, and the possibility of doing sociology ‘beyond’ the bounded nation-state-society focus of most sociological research. And, while opening the door to a crucial dimension of globalization, the comparative study of migration and migrants in North America and Europe
also offers opens up fresh perspectives on conceptions of nationhood, citizenship, constitutionalism, and the state.

We will begin with an orientation to the field and then proceed to consider two main components. International migration is an inherently a phenomenon of politics and law. Consequently, we principally focus on the development and implementation of laws and policies controlling movement across territorial borders and into the political communities that “immigrant” receiving states seek to enclose. We also consider options for law reform, including targeted and broad-scale legalization programs, and revised admission schemes for immigrants and temporary workers. Another area of focus is the structure of government decisionmaking and other matters of institutional design, including questions of federal versus state/local authority and separation of powers between branches of the federal government. Though in theory we aspire to a global orientation, in the main we settle for a comparative focus on Europe and the United States.

The more ‘classic’ issues of immigration — assimilation, integration, race/ethnic relations, transnationalism — will be encountered in Soc 236b, to be taught in the spring quarter, and with particular attention to the United States. In lieu of Soc 236c, an occasional workshop (hopefully once month) will provide an opportunity for presentation of student research projects on international migration, whether at M.A., Ph.D., or en route levels.

Course requirements

The basic requirement is to do the readings. There are plenty of them and you need to stay on top of the material at all times. We anticipate that we will begin most classes with a brief overview lecture and then segue to a structured discussion. This means that everyone should anticipate participating in class discussions; those who don’t raise hands can expect to be called on, in every class.

In addition, each student will be asked to write one “issues paper,” surveying, synthesizing, and critically assessing the readings for any one session; the papers should be roughly five pages in length and posted to the website by the Wednesday evening before the relevant class meeting. The session on which you wish to comment should be selected by no later than Monday, September 30, the day before our first session.

In addition, to help build your familiarity with the burgeoning literature, students will periodically be asked to write précis of selected articles. Each précis should be posted to the class website the evening before the class meeting. There will be no presentation of the précis; they will simply be used as reference material by other students; however, we do expect that précis authors will draw on these additional readings to enrich our discussions.

There will be a comprehensive, take-home final, due at the end of the law school exam period, Thursday, December 19.

There is one assigned book for purchase: Daniel Tichenor, Dividing Lines: The Politics of Immigration Control in America. Princeton: Princeton University Press, 2002. Other readings are either available online via the library or via the course website.

October 1: Session 1: Democracy, community, and freedom of movement


Lant Pritchett, *Let Their People Come: Breaking the Gridlock on Global Labor Mobility* (Washington: Center for Global Development, 2006), Introduction, pp. 1--10 (rest of chapter optional, but strongly recommended); Chapter 3, 77-86 downloadable from: [http://www.cgdev.org/content/publications/detail/10174](http://www.cgdev.org/content/publications/detail/10174)


Optional:
Rainer Baubock, “Toward a Political Theory of Migrant Transnationalism”, *International Migration Review* 37.3 (Fall 2003)


**October 8: Session 2: Theories of Migration**


Michael Piore, *Birds of Passage*, 1979, Chapters 1 and 2

Lant Pritchett, *Let Their People Come*, Chapter 1, downloadable from: [http://www.cgdev.org/content/publications/detail/10174#Chpt](http://www.cgdev.org/content/publications/detail/10174#Chpt)

Chapter 2 in UN Human Development Report and pp 71-83.


**Precis:**


Hein de Haas 'The determinants of international migration: conceptualizing policy, origin and destination effects', Oxford International Migration Institute, WP-32-2011

October 15, Session 3: International migration and the state (1): Immigration policy

Gary Freeman, "Modes of Immigration Policies in Liberal Democratic Societies," International Migration Review, 1995, plus comment by Brubaker and Freeman response; (JSTOR)
Randall Hansen, “Globalization, Embedded Realism and Path Dependence: The Other Immigrants to Europe,” Comparative Political Studies (Vol. 35, No. 3, 2002), 259-283
http://homes.chass.utoronto.ca/~rhansen/Articles_files/20021.pdf


Precis:

Christian Joppke, Selecting by Origin: Ethnic Migration in the Liberal State, Harvard University Press, 2005: chapter 1,


October 22: Session 4: U.S. Immigration Policy


**Precis:**

**October 29: Session 5: Reforming U.S. Immigration Policy**
Donald M. Kerwin, More Than IRCA: U.S. Legalization Programs and the Current Policy Debate (Migration Policy Institute 2010)
Betsy Cooper & Kevin O’Neil, Lessons From the Immigration Control and Reform Act of 1986 (Migration Policy Institute 2005)

**November 5: Session 6: Immigration and the state (2): Citizenship**
Rogers Brubaker (1992) *Nationhood and Citizenship in France and Germany*, preface, ch.1

**Precis:**

**November 12: Session 7: Immigration and the state (3): rights and multiculturalism**
Yasemin Soysal (1994) *Limits of Citizenship*, pp.1-8 + ch.8
Irene Bloemraad, *Becoming a Citizen: Incorporating Immigrants and Refugees in the United States and Canada*, Berkeley: UC Press, 2006, Chapter 4 and conclusion

*Chae Chan Ping v. United States* (The Chinese Exclusion Case), 130 U.S. 581 (1889)
*Fong Yue Ting v. United States*, 149 U.S. 698 (1893)

**November 19 Session 8: Guestworkers, Immigrants, and Citizens**


Cristina M. Rodríguez, “Guest Workers and Integration: Toward a Theory of What Immigrants and Americans Owe One Another,” 2007 *University of Chicago Legal Forum* 219


**November 26: Session 9: Government Structure and Immigration Decisionmaking**


*Chamber of Commerce v. Whiting*, 131 S.Ct. 1968 (2011)


**December 3: Session 10: Implementation, Policing, Bordering**


Peter Andreas, *Border Games*, Cornell Univ. Press, 2000, chs 1, 5, 7
Stable URL: http://links.jstor.org/sici?sici=0197-9183%28199823%2932%3A3%5C561%3ATSPOU%3E2.0.CO%3B2-2


*Optional:* 

or

M.B. Salter, “POLICY IN INTERNATIONAL STUDIES Passports, Mobility, and Security: How smart can the border be?” International Studies Perspectives, 2004 (available online via UCLA libraries)

or

http://tecn.rutgers.edu/cgog/Papers/Koslowski_money_and_migration.pdf

or